

Re: Submission on P1042 Low THC Hemp Seeds as Food

Please accept New Zealand Hemp Brokers (NZHB) submission on P1042 – Low THC Hemp Seeds as Food.

NZHB has established export markets in Australia, Germany, Canada, and China for New Zealand grown Industrial Hemp and various products derived from this crop. NZHB are a New Zealand company and we have not made a submission on Hemp Foods previous to the request from FSANZ dated 28th July 2016.

We support Human and Animal access to foods, food oils and food ingredients made from Legal Industrial Hemp crops grown under licence in Australia and New Zealand.

From an Agricultural Industries perspective, it is our view that this proposal falls well short of what is required to bring New Zealand and Australia in line or even on par with what is happening on a Global scale with Industrial Hemp.

We are surprised that FSANZ have decided to develop a food regulatory measure to permit the sale of foods containing **only** the seeds or substances extracted or derived from the seeds of Industrial Hemp.

NZHB do not support the proposal to the food code in its current form.

NZHB, NZHIA and its members request that FSANZ ask to make an amendment to Schedule 23 “Prohibited plants and fungi”. We would like a clear distinction made between Low THC Industrial Hemp and Recreational illegally grown Cannabis. We want to see the removal of Low THC Hemp foods from Mention in Schedule 23.

If the Misuse of Drugs legislation and Office of Drug Control respectively, correctly define THC as the drug they are trying to control, then all Food and Agri food products derived from Low THC Industrial Hemp contain no significant amount of THC to put any member the public or animal at risk.

We want a legal framework drawn up to guide us and allow us to enter and make a significant impact on the Hemp Food and Agricultural Industries in New Zealand, Australia and abroad.

NZHB seeks to have access to all foods derived from low THC Industrial Hemp, (including the whole seed and sprouts) as occurs in all the other International markets around the world, still only excluding Australia and New Zealand.

FSANZ has consistently concluded there are no public health and safety concerns, and **Hemp Foods** should be available for human and animal consumption. Their view has not changed since 2001 when they issued their draft assessment to application A360

We believe the current proposal is restrictive and deprives both countries the considerable commercial and economic opportunities of having a thriving competitive Hemp Food industry. The proposal does not allow New Zealand or Australian Industrial Hemp companies to compete on a global scale.

The proposed variation (1)(a)(iii) if the food is for retail sale – are non-viable and hulled. If the seeds are hulled they are incapable of germinating into a plant as Hulling splits the seed and therefore renders the seed as non- viable.

We disagree with the wording in this variation as this could be interpreted that we need to hull the seed splitting them and rendering them as non- viable, and then be required to do further treatment to confirm them as non-viable. This may involve another processing step which is un-warranted and adds a further cost to the industry and consumer.

We Agree with FSANZ conclusion not to propose a limit on CBD in the variation, as it has been shown to be well tolerated at a dose greater than 1000 mg per day and no reports of adverse effects attributed to oral CBD have been located in the published literature. We would ask the the MOH make the amendment to reflect this and remove CBD from MODA.

It has been extensively tested on animals, humans and in vitro studies, far in contrast to THC. Science has shown CBD to counteract the effects of THC as it exhibits weak binding to cannabinoid receptors when present. CBD **does not** cause psychoactive effects. This indicates that any THC how ever minute in a food or Agri Food ingredient derived from Industrial Hemp would be in safe amounts. For example Canada's limit is 10ug/g.

The concern of the drug legislation in all jurisdictions is to control THC as a drug then no other cannabinoids naturally present in the Industrial Hemp Plant need to be subject to further regulatory control.

We would like an explanation as to why FSANZ wish to exclude cannabinoids from being extracted or derived from low THC Industrial Hemp, such as or Food oil, or ingredients, Clearly Industrial Hemp is not a Psychoactive Drug and is incapable of being used to produce any amounts of THC (the psychoactive cannabinoid) viable for a recreational type drug use. Globally it is proving to have Health benefits for people and animals alike and increasing demand for Hemp based products is already shaping up to be a potentially lucrative industry.

NZHB propose these areas of the Industrial Hemp Industry should be assigned to the TGA in Australia and MPI in New Zealand with appropriate licensing and background checks in place both countries can benefit.

This is a restrictive and limiting requirement from FSANZ, stopping the nutraceutical value of the Industrial Hemp crop which is of potentially the greatest benefit to the general public, Agricultural and Food Industries.

These products should be considered low THC Industrial Hemp products derived from licensed Industrial Hemp producers. There is no psychoactive drug potential contained within Industrial Hemp plants therefore it should not be considered within the scope of this food variation or subject to further drafting

We agree there is no need for additional requirements on labelling in the code; this issue is outside the scope of FSANZ. It is adequately controlled by existing regulations, involving consumer protection and fair trading law and food labelling regulations in the code. And in New Zealand, section 61 of the Misuse of Drugs Act, Industrial Hemp Regulations 2006.

Should this proposal be accepted by the FSANZ board for submission to the Forum of Food Ministers in November 2016 we would ask that it include a review date in the wording, similar to how access to Hemp Seed oil in New Zealand is scheduled for review in October 2017.

A review is needed because the variation only considers hulled **Hemp Seed Foods** and ignores whole Hemp Seeds, sprouted foods and the numerous food and beverage products obtainable from other parts of the low THC Industrial Hemp plant which are commonly used around the world with no adverse effects.

Kind regards

NZHB

Chris Woodney

Director